U.S. Patent Appl. No. 10/657,211

Filed: September 9, 2003



Confirmation No.: 9150

Appl. No

10/657,211

**Applicant** 

Terry E. Thomas and Emer Clarke

Filed

September 9, 2003

Title

Novel Antibody Compositions For Preparing Enriched

Mesenchymal Progenitor Preparations

TC./A.U.

1645

Examiner

Unknown

Docket No.

7771-104

Customer No.

001059

Honorable Commissioner for Patents P. O. Box 1450 Alexandria, Virginia 22313–1450

## FILING OF AN INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 CFR 1.97 and 1.98, and in recognition of the duty of disclosure set forth in 37 CFR 1.56, Applicant hereby submits an Information Disclosure Statement on Form PTO-1449 containing a listing of publications of which Applicant is aware. Pursuant to 37 CFR 1.98(d) Applicant is not required to submit the references listed on the Information Disclosure Statement as all of the references were previously submitted by Applicant or were cited by the Examiner in the parent application U.S. Patent Application No. 09/864,884 filed May 25, 2001. However, Applicant is enclosing a copy of each of the two new references, Erices et al. (2000) and Reyes et al. (2001).

All of the publications submitted herewith are in the English language. Accordingly a concise explanation of the relevance of the documents is not required.

The Examiner is requested to indicate consideration of these documents by initialling the appropriate column.

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Applicants reserve the right to contest the applicability of any of these documents as prior art against the subject application. If the Examiner has any questions concerning this Information Disclosure Statement, he/she is requested to contact the undersigned. Entry of the enclosed Information Disclosure Statement is believed to be in order and is respectfully requested.

This Information Disclosure Statement is being filed before the issuance of a first official action, and therefore no fees are required. However, please charge our deposit account No. 02-2095 if such a fee is required.

Respectfully submitted,

**BERESKIN & PARR** 

Micheline Gravelle

Reg. No. 40,261

Bereskin & Parr Box 401, 40 King Street West

Toronto, Ontario Canada M5H 3Y2 Tel: 416-957-1682

Fax: 416-361-1398

**Attachments** 

PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/PTO Complete if Known 10/657,211 Application Number **INFORMATION DISCLOSURE** Filing Date September 9, 2003 STATEMENT BY APPLICANT First Named Inventor Terry E. Thomas Art Unit 1645 (Use as many sheets as necessary) Examiner Name Unknown Sheet of Attorney Docket Number 7771-104

U.S. PATENT DOCUMENTS							
Examiner Initials *	Cite No.1	Document Number	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant		
	No.	Number - Kind Code <sup>2</sup> (if known)	MM-DD-YYYY		Passages or Relevant Figures Appear		
		US-5,486,359	Jan. 23, 1996	Caplan et al.			
		US- 5,643,736	July 1, 1997	Bruder et al.			
		US- 5,733,542	March 31, 1998	Haynesworth et al.			
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	FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear				
	No.1	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> ( <i>if known</i> )				T <sup>6</sup>			
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Substitute	for form 1449B/PT	0		Complete if Known		
INIEO	DATATION	DIC	OLOGUEE	Application Number	10/657,211	
			· -	Filing Date	September 9, 2003	
STAT	EMENT B	SY A	PPLICANT	First Named Inventor	Terry E. Thomas	
				Art Unit	1645	
(Use as many sheets as necessary)				Examiner Name	Unknown	
Sheet	2	of	2	Attorney Docket Number	7771-104	
	INFO	INFORMATION STATEMENT B	(Use as many sheets as	INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use as many sheets as necessary)	INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use as many sheets as necessary)  Application Number Filing Date First Named Inventor Art Unit Examiner Name	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T 2
		Allay, J.A. et al., Human Gene Therapy. 8:1417-1427 (1997).	
		Bruder, S.P. et al., J. Cell. Biochem 64:278-294 (1997).	1
		Majumdar, M.K. et al., J. Cell. Physiol. 176:57-66 (1998).	
		Pittenger, M.F., et al. Science. 284:143-147 (1999)	
		Reyes, M. et al. Blood 92:725a (1998).	
*		Erices et al. British Jounral of Haematology 109, 235-242 (2000)	
		Reyes et al. Blood Vol. 98, No. 9, 2615-2625 (2001)	1

Examiner	Date	)
Signature	Considered	 J

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance

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